# Exhibit A

No		
MAVERICK OILFIELD SPECIALTIES,	§	IN THE DISTRICT COURT OF
INC.	§	
	§	
VS.	§	HARRIS COUNTY, TEXAS
III. ALTONI WELL CERVICE II.C	8	WIDIGIAL DIGERICA
HAMILTON WELL SERVICE, LLC	8	JUDICIAL DISTRICT

### PLAINTIFF'S ORIGINAL PETITION, APPLICATION FOR INJUNCTIVE RELIEF AND APPLICATION FOR WRIT OF SEQUESTRATION, OR ALTERNATIVELY, WRIT OF ATTACHMENT

TO THE HONORABLE JUDGE OF THIS COURT:

Plaintiff, MAVERICK OILFIELD SPECIALTIES, INC. (hereafter, "MAVERICK" or "Plaintiff"), files this Plaintiff's Original Petition, Application for Injunctive Relief and Application for Writ of Sequestration, or Alternatively, Writ of Attachment. In support thereof, Plaintiff MAVERICK shows as follows:

I.

# DISCOVERY CONTROL PLAN: LEVEL 2 AND REQUEST FOR DISCLOSURE

- Plaintiff intends for discovery to be conducted under level 2 of Tex. R. Civ. Proc.
   190, et seq.
- 1a. Per Tex. R. Civ. Proc. 194, Plaintiff asks that Defendant disclose within the time required by law the information and materials described in Tex. R. Civ. Proc. 194.

II.

#### **PARTIES**

- Plaintiff MAVERICK is a Texas Corporation that conducted business in Harris
   County, Texas at all times material to this lawsuit.
  - 3. Defendant, HAMILTON WELL SERVICE, LLC, is Texas Limited Liability

Company that conducted business in Harris County, Texas at all times material to this lawsuit.

Defendant can be served with process through its Registered Agent, *Britthaney Smith*, located at 16 Waterway Court, The Woodlands, TX 77380.

III.

#### JURISDICTION AND VENUE

- 4. This court has subject matter jurisdiction over this case in that Plaintiff seeks, among other things, monetary damages of more than \$200,000.00 but less than \$1,000,00.00, plus non-monetary relief. This court has personal jurisdiction over Defendant in that it conducted business in Harris County, Texas at all times material to this lawsuit.
- 5. Harris County, Texas is proper venue for this lawsuit because all or a substantial part of the events or omissions giving rise to this lawsuit occurred in Harris County, Texas.

IV.

#### **BRIEF FACTS**

- 6. From July 6, 2015 through October 27, 2015, Defendant HAMILTON purchased certain goods on account from Plaintiff MAVERICK. *See* true and correct summary of unpaid Invoices attached hereto as Exhibit "A" and made a part hereof for all purposes.
- 7. To secure payment, Plaintiff MAVERICK retained a purchase money security interest in the goods sold on account as a matter of law per Tex. Bus. & Com. Code §9.103.
- 8. As further security, Plaintiff MAVERICK filed UCC-1 Liens with the Texas Secretary of State. *See* true and correct copy of recorded UCC-1 Liens attached hereto as Exhibit "B" and made a part hereof for all purposes.
- 9 As requested, Plaintiff MAVERICK delivered and/or Defendant HAMILTON received all of the goods on account shortly thereafter.

- 10. Payment terms reflected on the invoice required payment in full within 30 days.
- 11. Defendant HAMILTON failed to pay all of the foregoing invoices as agreed.
- 12. On or about September 1, 2015, Plaintiff MAVERICK sent a ten day written demand for payment.
- 13. When Defendant HAMILTON failed to pay after 14 days, on or about September 15, 2015, Plaintiff MAVERICK sent a Demand to Turn Over Collateral.
- 14. In response, Defendant HAMILTON made a partial payment for approximately one-half of the balance owed and promised to pay the balance in 30 days.
  - 15. Defendant HAMILTON failed to pay the balance as promised.
- 16. In one last effort to avoid litigation, on or about November 11, 2015, Plaintiff MAVERICK sent Defendant HAMILTON a copy of this Lawsuit with one last demand to pay the balance owed.
  - 17. Defendant HAMILTON failed to pay the balance owed or turn over the collateral.
- 18. After the application of all payments, credits and offsets to which Defendant HAMILTON is entitled, it owes Plaintiff MAVERICK <u>\$247,468.57</u>, plus attorney fees, interest and court costs.

V.

#### **CAUSES OF ACTION**

#### BREACH OF CONTRACT & BREACH OF SETTLEMENT AGREEMENT

- 19. As described above, Defendant HAMILTON breached its Contract and subsequent Settlement Agreement with Plaintiff MAVERICK which proximately caused damages to Plaintiff MAVERICK within the jurisdictional limits of this court for which it hereby sues.
  - 20. All conditions precedent have occurred, have been performed or have been

waived.

#### ATTORNEY FEES

21. Per Tex. Civ. Prac. & Rem. Code §38, et seq., Plaintiff MAVERICK sues for reasonable and necessary attorneys' fees incurred to protect its legal rights in this matter.

#### INTEREST

22. Plaintiff MAVERICK sues for pre and post judgment interest at the maximum rate allowed by law.

#### FRAUD/FRAUDULENT INDUCEMENT

- 23. Either directly or by omission, Defendant HAMILTON misrepresented its solvency and/or misrepresented its intent to pay Plaintiff MAVERICK.
- 24. Plaintiff MAVERICK detrimentally relied on the foregoing material misrepresentations to its detriment which proximately caused damages to Plaintiff MAVERICK within the jurisdictional limits of this court for which it hereby sues.

VI.

# APPLICATION FOR INJUNCTIVE RELIEF

#### TRO, TI AND PERMANENT INJUNCTION

- 25. As described above, as a matter of law, Plaintiff holds a purchase money security interest in the Collateral. See Tex. Bus. & Com. Code §9.103.
- 26. As further security, Plaintiff MAVERICK filed UCC-1 Liens with the Texas Secretary of State regarding the Collateral.
- 27. After the application of all payments, credits and offsets to which Defendant is entitled, <u>\$247,468.57</u>, remains due, owing and unpaid by Defendant, plus attorney fees, interest and costs of court.

- 28. Because of the foregoing, before filing this lawsuit, Plaintiff demanded that Defendant pay its past due amounts. Defendant failed to do so.
- 29. Subsequently, Plaintiff demanded that Defendant turn over the Collateral.

  Defendant failed to do so.
- 30. The Collateral represents Plaintiff's main source of recovery of the debt owed by Defendant. Defendant admitted to having cash flow problems and that it cannot pay its bills.
- 31. Defendant continues to use the Collateral causing further depreciation and damage to the Collateral. Further, the Collateral is easily disposed of without accounting to Plaintiff for the proceeds thereof.
- 32. Based on Defendant's conduct and lack of assets necessary to pay its debt owed to Plaintiff, unless Defendant is enjoined as herein provided, the Collateral may be damaged, lost, destroyed, concealed, transferred and/or otherwise disposed of, thereby depriving Plaintiff of the main source of recovery available to satisfy the debt.
- 33. Such injury would be irreparable because, on information and belief, Defendant does not possess sufficient assets to pay a judgment and the Collateral may be continued to be used, lost, destroyed or otherwise disposed of before any other extraordinary remedy can be effected. There is no other adequate remedy at law which will allow Plaintiff to preserve its rights.
- 34. As above described, Plaintiff has shown a probable right to recover. As such, Plaintiff asks that the Court immediately issue a <u>TEMPORARY RESTRAINING ORDER</u> requiring that—
- a. Defendant, HAMILTON WELL SERVICE, LLC, its representatives, agents, officers, employees, attorneys, family members and any other persons in active concert or

participation with them, whether acting directly or through any trust, corporation, subsidiary, assumed name, division or other devise, immediately:

- i. Cease and Desist from any and all use, movement, transfer, sale, encumbering, disposal, alteration and concealment of the Collateral, including proceeds therefrom;
- ii. Cease and Desist from transferring, concealing, destroying, or removing from the jurisdiction of this Court any books, records, documents, invoices, accounts, papers, correspondence, computers, computer data, software, emails, texts, or any other written or computer generated materials relating in any way to the Collateral and business of Defendant.
- iii. immediately provide in writing the physical location of each item of Collateral.
- iv. immediately turn over all of the Collateral to Plaintiff, or assemble and make all of the Collateral available for inspection and photography by Plaintiff.
- v. immediately provide in writing to Plaintiff a description of any Collateral disposed of or transferred by Defendant, including the date thereof, and the name, address and telephone number of each person or entity to whom Defendant transferred any Collateral; and
- vi. immediately provide in writing to Plaintiff the terms of any agreement under which any Collateral is held by a third party and provide a copy of any such agreement.
- b. Defendant in this cause be commanded to comply with this TRO from date of entry until and to the fourteenth day after entry or until further Orders by the Court.
- 35. Also, Plaintiff requests that, after an evidentiary hearing, the Court enter a temporary injunction and/or permanent injunction to protect the Collateral as above set forth.
  - 36. Plaintiff is ready, willing and able to post a reasonable bond.

VII.

#### APPLICATION FOR SEQUESTRATION

37. Per Tex. R. Civ. Proc. 696 and Tex. Civ. Prac. & Rem. Code § 62.001, et seq.,

Plaintiff MAVERICK requests a Writ of Sequestration based on the following grounds:

- a) this lawsuit is for foreclosure or enforcement of a security interest on personal property (i.e. the Collateral); and
- b) a reasonable conclusion may be drawn that there is an immediate danger that Defendant or the party in possession of the property will conceal, dispose of, ill-treat, waste or destroy the property or remove it during the lawsuit.

See Affidavit of James Etheridge, Plaintiff's authorized representative, attached hereto as Exhibit "C" and made a part hereof for all purposes.

38. The Collateral is located at 7506 US Hwy 59 N, Victoria, TX 77905. The Collateral has a value of approximately \$100,000.00.

#### VIII.

#### APPLICATION FOR ATTACHMENT

- 39. Alternatively, but without waiving the foregoing, per Tex. Civ. Prac. & Rem. Code § 61.001, et seq., Plaintiff MAVERICK requests a Writ of Attachment based on the following grounds:
  - a) Defendant is justly indebted to Plaintiff;
  - b) Attachment is not sought for the purpose of injuring or harassing Defendant;
  - c) Plaintiff will probably lose his debt unless the Writ of Attachment is issued; and
  - specific grounds for the Writ exist under Section 61.002, including but not necessarily limited to—
    - Defendant owes Plaintiff for property obtained by Defendant under false pretenses; and/or
    - ii. Defendant is about to convert all or part of the property into money for the purpose of placing it beyond the reach of his creditors.
  - 40. The Collateral is located at 7506 US Hwy 59 N, Victoria, TX 77905. As used

equipment in a soft market, the Collateral has a value of approximately \$100,000.00.

IX.

#### RELIEF REQUESTED

Plaintiff asks that the Court--

- (1) issue citation ordering Defendant to appear and answer herein;
- (2) After hearing, grant Plaintiff's Application for TRO;
- (3) sign a Writ of Sequestration and/or Writ of Attachment;
- (4) award Plaintiff all of its actual damages incurred in this matter;
- (5) award Plaintiff reasonable and necessary attorneys' fees incurred to prosecute this claim;
- (6) award Plaintiff pre and post judgment interest at the highest rate allowed by law;
- (7) assess all court costs against Defendant; and
- (8) grant such further relief to which Plaintiff is entitled.

Respectfully submitted,

WILLIAM J. CRONIN, P.C.

William J. Cronin

TBA# 00790536

17101 Kuykendahl Rd. – Ste 120

Houston, Texas 77068

Tel (281) 444-2990

Fax (281) 444-2997

ATTORNEY FOR PLAINTIFF

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MAVERICK OILFIELD SPECIALTIES HOUSTON, TX 77032 16135 ALDINE WESTFIELD RD. HOUSTON, TX 77032

# **Statement**

Date 11/11/2015

To:

HAMILTON WELL SERVICE, LLC 4849 GREENVILLE AVE. STE. 1250 DALLAS, TEXAS 75206



				Amount Due	Amount Enc.
				\$247,468.57	
Date		Transaction		Amount	Balance
07/20/2015 07/20/2015 07/31/2015 07/31/2015 07/31/2015 08/11/2015 09/16/2015 09/16/2015 09/16/2015 09/21/2015 09/21/2015 10/07/2015 10/07/2015 10/13/2015 10/13/2015 10/19/2015 10/19/2015	INV #43090. Due 08/19/201 INV #43094. Due 08/19/201 INV #43142. Due 08/30/201 INV #43143. Due 08/30/201 INV #43144. Due 08/30/201 INV #43169. Due 08/31/201 CREDMEM #43301. 51617 INV #43303. Due 10/06/201 INV #43304. Due 10/06/201 INV #43313. Due 10/11/201 INV #43329. Due 10/18/201 INV #43360. Due 10/27/201 INV #43384. Due 11/02/201 INV #43384. Due 11/02/201 INV #43399. Due 11/08/201 INV #43400. Due 11/08/201 INV #43423. Due 11/16/201	15. Orig. Amount \$90,611.4 15. Orig. Amount \$90,611.4 15. Orig. Amount \$214.50. 15. Orig. Amount \$230.77. 15. Orig. Amount \$2,073.14 15. Orig. Amount \$2,073.14 15. Orig. Amount \$1,769.64 15. Orig. Amount \$841.83. 15. Orig. Amount \$1,345.98 15. Orig. Amount \$1,345.98 15. Orig. Amount \$1,345.98 15. Orig. Amount \$1,018.05 15. Orig. Amount \$1,018.05 15. Orig. Amount \$526.43. 15. Orig. Amount \$526.43. 15. Orig. Amount \$801.16. 15. Orig. Amount \$454.69.	17. 50378 17. 50380 51213 50373 1. 52165 1. 52203 52202 1. 52201 1. 51618 522258 1. 52269 1. 52324 52335 52331 52326 52341 1. 52344	48,360.83 90,611.47 90,611.47 214.50 530,77 2,073.14 -4,129.13 1,769.64 841.83 1,345.98 6,333.65 170.10 1,585.00 1,018.05 526.43 801.16 198.41 454.69 2,380.95 1,769.63	48,360.8 138,972.3 229,583.7 229,798.2 230,329.0 232,402.1 228,273.0 230,042.6 230,884.5 232,230.5 238,564.1 238,734.2 240,319.2 241,337.3 241,863.7 242,664.8 242,863.3 243,317.9 245,698.9 247,468.5
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CURRENT	1-30 DAYS PAST DUE	DUE	DUE	PAST DUE	Amount Due

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8. E-MAIL CONTACT AT FILER (optional)  karen@maverickoilfield.com			305	TEXAS SUCKETARY OF STAT	E ș
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International Association of Commercial Administrators (IACA)

UCC FINANCING STATEMENT FOLLOW INSTRUCTIONS  A. NAME & PHONE OF CONTACT AT FILER (options):				26031149 015 05:00 P	
B. E-MAIL CONTACT AT FILER (optional)  karen@maverickoilfield.com		Sos		TEXAS SECRETARY OF STATE	
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1. DEBTOR'S NAME: Provide only son Debtor name (1s or 1s) (use a name will not fill in line 1b, leave all of item 1 blenk, check here and is, organization's name HAMILTON WELL SERVICE LLC/I or 1b, individual's surname	provide the Individual Debte	NERGY GROUP	inancing S		
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Karen@maverickoilfield.com		SOS		AND DESCRIPTION OF STREET	est)
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# Case 16-03181 Document 1-3, Filed in TXSB on 08/17/16 Page 15 of 37



16135 ALDINE WESTFIELD • HOUSTON, TX 77032 (281) 449-6251 • (281) 443-0591 FAX (281) 987-8633 OILFIELD EQUIPMENT & SUPPLIES



DATE

**INVOICE** #

8/11/2015

42160

4316

BILL TO:

HAMILTON WELL SERVICE, LLC 16 WATERWAY COURT THE WOODLANDS: IX 77380 SHIP TO:

HAMILTON FISHING & RENTAL 6270 TX 21 BRYAN, TEXAS 77807

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.		PROJECT
3)-0025	NET 20	04	8/10/2015	CO. TRUCK			
QUANTITY	ITEM CODE		DESCRIPTION	ON	PRI	CE EACH	AMOUNT
	14W-276	2-7/8" 5K E S/N: 012115	UE SAFETY VAL 55T	.VE	.,	250.90	1250 001
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LTC#52165

Subtotal

\$1,03 ( )00

Sales Tax (7.25%)

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TOTAL

1 11 11 1 1

# Case 16-03181 Document 1-3 Filed in TXSB on 08/17/16 Page 16 of 37



16135 ALDINE WESTFIELD · HOUSTON, TX 77032 (281) 449-6251 · (281) 443-0591 FAX (281) 987-8633 OILFIELD EQUIPMENT & SUPPLIES



DATE

INVOICE #

7/31/2015

APT 1 30%

43143

BILL TO:

HAMILTON WELL SERVICE, LLC 7506 US Hwy 59 N Victoria, TX 77905 SHIP TO:

VICTORIA, TX

P.O. NUMBER	TERMS	REP	SHIP	VIA	F.O.B.	PROJECT
602-0648	Net 30	03	7/29/2015	DELIVERED		
QUANTITY	ITEM CODE		DESCRIP	FION	PRICE EAC	H AMOUNT
COMMITTEE						

TTI #51213

Subtotal

\$200,00

Sales Tax /7.25%)

\$14.50

Thank you for your business

TOTAL

3214 11

No		
MAVERICK OILFIELD SPECIALTIES,	§	IN THE DISTRICT COURT OF
INC.	§	
	§	
VS.	§	HARRIS COUNTY, TEXAS
	8	
HAMILTON WELL SERVICE, LLC	8	JUDICIAL DISTRICT

### AFFIDAVIT OF JAMES ETHERIDGE

THE STATE OF TEXAS §

COUNTY OF HARRIS §



BEFORE ME, the undersigned Notary Public, on this day, personally appeared JAMES ETHERIDGE, who, being by me duly sworn on oath deposed and stated as follows:

- 1. "My name is JAMES ETHERIDGE. I am Plaintiff MAVERICK's authorized representative in this cause. I am over the age of eighteen years, of sound mind and otherwise capable of making this Affidavit.
- 2. I have personal knowledge of the facts stated herein as I was the President of Plaintiff MAVERICK at all times material to this lawsuit.
- 3. I have read the attached Plaintiff's Original Petition and Application for Writ of Sequestration. All statements of fact contained therein are true and correct.
- 4. From July 6, 2015 through October 27, 2015, Defendant HAMILTON purchased certain goods on account from Plaintiff MAVERICK. See true and correct copy of Invoices attached hereto as Exhibit "A."
- 5. To secure payment, Plaintiff MAVERICK retained a purchase money security interest in the goods sold on account as a matter of law per Tex. Bus. & Com. Code §9.103.
- 6. As further security, Plaintiff MAVERICK filed UCC-1 Liens with the Texas Secretary of State. *See* true and correct copy of recorded UCC-1 Liens attached hereto as Exhibit "B."
- 7 As requested, Plaintiff MAVERICK delivered and/or Defendant HAMILTON received all of the goods on account shortly thereafter.
  - 8. Payment terms reflected on the invoice required payment in full within 30 days.
  - 9. Defendant HAMILTON failed to pay all of the foregoing invoices as agreed.

- 10. On or about September 1, 2015, Plaintiff MAVERICK sent a ten day written Demand for payment.
- When Defendant HAMILTON failed to pay after 14 days, on or about September 11. 15, 2015, Plaintiff MAVERICK sent a Demand to Turn Over Collateral.
- In response, Defendant HAMILTON made a partial payment for approximately 12. one-half of the balance owed and promised to pay the balance in 30 days.
  - Defendant HAMILTON failed to pay the balance as promised. 13.
- In one last effort to avoid litigation, on or about November 11, 2015, Plaintiff MAVERICK sent Defendant HAMILTON a copy of this Lawsuit with one last demand to pay the balance owed.
  - 15. Defendant HAMILTON failed to pay the balance owed or turn over the collateral.
- After the application of all payments, credits and offsets to which Defendant 16. HAMILTON is entitled, it owes Plaintiff MAVERICK \$247,468.57, plus attorney fees, interest and court costs.
- The Collateral is located at 7506 US Hwy 59 N, Victoria, TX 77905. As used equipment in a soft market, the Collateral has a value of approximately \$100,000.00."

Further Affiant sayeth not.

SUBSCRIBED AND SWORN TO BEFORE ME on this day of December 2015.

The State of Texas



Case 16-03181 Document 1-3 Filed in TXSB on 08/17/16

Pagnris Dahiel - District Clerk Harris County Envelope No: 8279643

Envelope No: 8279643 By: FRANKLIN, KRYSTAL G Filed: 12/17/2015 10:38:32 AM

110.		
MAVERICK OILFIELD SPECIALTIES, INC.	§ §	IN THE DISTRICT COURT OF
VS.	§ §	HARRIS COUNTY, TEXAS
HAMILTON WELL SERVICE, LLC	§	JUDICIAL DISTRICT

# ORDER FOR ISSUANCE OF WRIT OF ATTACHMENT

On this day, the Court held a hearing on the Application for Writ of Attachment filed by Plaintiff, MAVERICK OILFIELD SPECIALTIES, INC., in the above entitled and numbered cause. Plaintiff appeared by and through its attorney of record. The Court held the hearing with notice to Defendant. Upon review of the pleadings, statements and evidence, the Court finds that—

- 1. This Cause is pending in this Court
- 2. Plaintiff is seeking damages from Defendant and enforcements of Plaintiff's security interests and liens in the Collateral described on the attached Exhibit "A." (hereafter, collectively, "the Collateral").
- 3. The Property/Collateral is located at 7506 US Hwy 59 N, Victoria, TX 77905.
- 4. Plaintiff has shown a probable right to recovery upon its Breach of Contract claims and Plaintiff has made demand for surrender of the Collateral which demand has been refused by Defendant.
- 5. This laws is for foreclosure or enforcement of a security interest on personal property i.e. the Collateral).
- 6. a) Defendant is justly indebted to Plaintiff;
  - Attachment is not sought for the purpose of injuring or harassing Defendant;
  - Plaintiff will probably lose his debt unless the Writ of Attachment is issued;
     and
  - d) specific grounds for the Writ exist under Section 61.002, including but not necessarily limited to—

- i. Defendant owes Plaintiff for property obtained by Defendant under false pretenses; and/or
- ii. Defendant is about to convert all or part of the property into money for the purpose of placing it beyond the reach of his creditors.

It is therefore

ORDERED that a Writ of Attachment issue to the Sheriff or Constable of Victoria County,
Texas, conditioned that Plaintiff shall post a bond in the amount of \$
payable to Defendant conditioned and approved as required by law. It is further
ORDERED that the Writ of Attachment shall authorize the sheriff or Constable of Victoria
County, Texas to cut the lock, if any, on any storage unit or behind any gate in which the Collateral
is stored. It is further
ORDERED that Defendant may replevy the Collateral by posting a bond in the amount of
\$ payable to Plaintiff MAVERICK OILFIELD SPECIALTIES, INC.,
conditioned and approved as required by law
SIGNED on thisday of, 2015 at
PRESIDING JUDGE
APPROVED & ENTRY REQUESTED:
WILLIAM J. CROWN, P.C.
By William J. Cronin TBA# 00790536 17101 Kuykendahl Rd. – Ste 120 Houston, Texas 77068 Tel (281) 444-2990 Fax (281) 444-2997 ATTORNEY FOR PLAINTIFF

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8. E-MAIL CONTACT AT FILER (optional) karen@maverickoilfield.com			S	TEIRS SECRETAL	TY OF STATE	:
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Case 16-03181 Document 1-3 Filed in TXSB on 08/17/16 Pagaris Dahiel - District Clerk

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Chris Daniel - District Clerk
Harris County
Envelope No: 8279643

Envelope No: 8279643 By: FRANKLIN, KRYSTAL G Filed: 12/17/2015 10:38:32 AM

No		
MAVERICK OILFIELD SPECIALTIES, INC.	§ §	IN THE DISTRICT COURT OF
VS.	8	HARRIS COUNTY, TEXAS
HAMILTON WELL SERVICE, LLC	§	JUDICIAL DISTRICT

## ORDER FOR ISSUANCE OF WRIT OF SEQUESTRATION

On this day, the Court held a hearing on the Application for Writ of Sequestration filed by Plaintiff, MAVERICK OILFIELD SPECIALTIES, INC., in the above entitled and numbered cause. Plaintiff appeared by and through its attorney of record. The Court held the hearing with notice to Defendant. Upon review of the pleadings, statements and evidence, the Court finds that—

- 1. This Cause is pending in this Court
- 2. Plaintiff is seeking damages from Defendant and enforcements of Plaintiff's security interests and liens in the Collateral described on the attached Exhibit "A." (hereafter, collectively, "the Collateral").
- 3. The Property/Collateral is located at 7506 US Hwy 59 N, Victoria, TX 77905.
- 4. Plaintiff has shown a probable right to recovery upon its Breach of Contract claims and Plaintiff has made demand for surrender of the Collateral which demand has been refused by Defendant.
- 5. This laws it is for foreclosure or enforcement of a security interest on personal property (i.e. the Collateral).
- 6. A reasonable conclusion may be drawn that there is an immediate danger that the Defendant or the party in possession of the Property will conceal, dispose of, all-treat, waste or destroy the Property/ Collateral or remove it from the county during the lawsuit.

It is therefore

ORDERED that a Writ of Sequestration issue to the Sheriff or Constable of Victoria County, Texas, conditioned that Plaintiff shall post a bond in the amount of \$\_\_\_\_\_

payable to Defendant conditioned and approved as required by law. It is further

ORDERED that the Writ of Sequestration shall authorize the Sheriff or Constable of

Victoria County, Texas to cut the lock, if any, on any storage unit or behind any gate in which the

Collateral is stored. It is further

ORDERE	D that Defendant	may replevy the	Collateral by posting a l	ond in the amount of
\$	payable t	o Plaintiff, MA	VERICK OILFIELDS	PECIALTIES, INC.,
conditioned and a	pproved as require	ed by law.		
SIGNED	on thism.	day of		, 2015 at
		PRESI	DING JUDGE	
			,	

APPROVED & ENTRY REQUESTED

WILLIAM J. CRONIN, P.C.

By\_\_

William J. Cronin

TBA# 00790536 on

17101 Kuykendahî Rd. - Ste 120

Houston, Texas 77068

Tel (281) 444 2990

Fax (281) 444-2997

ATTORNEY FOR PLAINTIFF

	EXHIBI	Т			•
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OLLOW INSTRUCTIONS		08/	06/2	015 05:00 P	M
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8. E-MAIL CONTACT AT FILER (options!) karen@maverickoilfield.com		SOS		ABCHETARY OF STREET	r ,
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Karen@maverickollfield.com  SEND ACKNOWLEDGMENT TO: (Name and Address)  Maverick Oilfield Specialties, Incorporate 16135 Aldine Westfield Road	d. GEIL	505		SHCRETARY OF STATE	
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International Association of Commercial Administrators (IACA)

Case 16-03181 Document 1-3 Filed in TXSB on 08/17/16 Pageris Daniel - District Clerk

2015-75540 / Court: 190

Harris County
Envelope No: 8279643
By: FRANKLIN, KRYSTAL G
Filed: 12/17/2015 10:38:32 AM

No		
MAVERICK OILFIELD SPECIALTIES,	§	IN THE DISTRICT COURT OF
INC.	§	
	§	
VS.	§	HARRIS COUNTY, TEXAS
	§	
HAMILTON WELL SERVICE, LLC	§	JUDICIAL DISTRICT

#### TEMPORARY RESTRAINING ORDER AND ORDER FOR THE ARING

On the below signed date, the Court considered the verified Plaintiff's Original Petition, Application for Injunctive Relief, Application for Writ of Sequestration, or Alternatively, Writ of Attachment filed by Plaintiff MAVERICK OILFIELD SERVICES, INC. (hereafter, "the Application"), with notice to Defendant, any written response thereto, oral argument, and additional evidence presented, if any. After considering the foregoing, the Court finds that the Application should be granted.

It appears from the facts set forth in the pleadings, the exhibits presented, and the testimony from the witnesses, that—

- a. Plaintiff has demonstrated a probable right of recovery;
- b. Plaintiff has a perfected first lien security interest and purchase money security interest in the Collateral described on the attached Exhibit "A." (hereafter, collectively, "the Collateral").
- c. The only adequate remedy would be to immediately enjoin Defendant's continued use and possession of the Collateral and to require the immediate turn over of the Collateral to Plaintiff so that Plaintiff may foreclose and sell the Collateral and apply the proceeds to the debt.
- d. Premedy of damages or any other remedy at law alone would be inadequate given the unique nature of the Collateral and the unlikelihood of collection if Defendant is allowed to remain in possession and in a position to dispose of or hide the Collateral.
- e. If no injunctive relief is granted, Plaintiff's rights in and to the Collateral, and proceeds thereof, will be lost and irreparable injury will occur.

- f. Further, Defendant lacks sufficient assets to satisfy its debts owed to Plaintiff.

  It is therefore **ORDERED** that—
- a. Defendant, HAMILTON WELL SERVICE, LLC, its representatives, agents, officers, employees, attorneys, family members and any other persons in active concert or participation with them, whether acting directly or through any trust, corporation, subsidiary, assumed name, division or other devise, immediately:
  - i. Cease and Desist from any and all use, movement, transfer, sale, encumbering, disposal, alteration and concealment of the Collateral, including proceeds therefrom;
    - ii. Cease and Desist from transferring, concealing, destroying, or removing from the jurisdiction of this Court any books, records, documents, invoices, accounts, papers, correspondence, computers, computer data, software, emails, texts, or any other written or computer generated materials relating in any way to the Collateral and business of Defendant.
    - iii. immediately provide in writing the physical location of each item of Collateral.
    - iv. immediately turn over all of the Collateral to Plaintiff, or assemble and make all of the Collateral available for inspection and photography by Plaintiff.
    - v. immediately provide in writing to Plaintiff a description of any Collateral disposed of or transferred by Defendant, including the date thereof, and the name, address and telephone number of each person or entity to whom Defendant transferred any Collateral; and
    - vi. immediately provide in writing to Plaintiff the terms of any agreement under which any Collateral is held by a third party and provide a copy of any such agreement.
- b. Defendant in this cause is commanded to comply with this Order from the date and time of entry until the fourteenth days after entry or until further Orders by the Court.
- c. Defendant, HAMILTON WELL SERVICE, LLC, is hereby ORDERED to appear at the hearing to be held in the Court of the \_\_\_\_\_\_ District Court of Harris County, Texas at 201

Caroline, Houston, Texas 77002 at a.m./p.m. on the day of
, 2015 and to show cause why this Temporary
Restraining Order should not be extended and why the equitable relief requested in Plaintiff's
pleadings should not be granted until trial of this matter.
d. Plaintiff MAVERICK OILFIED SERVICES, INC. shall post a bond or cash in
the amount of \$100.00 with the District Clerk.
SIGNED on
PRESIDING JUDGE
APPROVE & ENTRY REQUESTED
WILLIAM J. CRONIN, P.C.  By:  William J. Cronin TBA# 00790536 17101 Kuykendahl Rd. Ste 120 Houston, TX 77068 Tel (281) 444-2990 Fax (281) 444-2997 bcroninlaw@att.net ATTORNEY FOR PLAINTIFF

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A NAME & PHONE OF CONTACT AT FILER (optional) Ellean M. Etheridge		141		FILED	3	
B. E-MAIL CONTACT AT FILER (options)				YEXAS		
karen@maverickoilfield.com		50	S retail (series (r)	SECHETARY OF STAT	'Y	
C. SEND ACKNOWLEDGMENT TO: (Name and Address)	AEOEIL		Mahan		mill ,	
Maverick Oilfield Specialties, Inc. 16135 Aldine Westfield Rd.	ALL TO THE					
Houston, Texas 77032	C, 6 205	023	035190	003	j	
	K73	117		W	/	
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		THE ABOVE	SPACE IS P	OR FILING OFFICE US	EONLY	
t. DESTOR'S NAME: Provide only goe Dabter name (1s or 1b) (use name will not \$1 in time 1b, losse all of them 1 blank, chuck name	exect, full name; do not ordit;	modify, or abbreviate any pa	et of the Debi	or's name); If any part of the	Individual Debto	
13. ORGANIZATION'S NAME	Na provide the individual circle	THOMASON WINE IN TO CO. II	en Litrationid	Statement Addendum (Port	UCCTA0)	
HAMILTON WELL SERVICE LLC	HAMILTON E	VERGY GROU	/₽			
16. INDIVIDUAL'S SURNAME	FIRST PERSONA	NAME	ADDITI	ONAL NAME(SYINITIAL(S)	SUFFIX	
. MAILING ADDRESS	GITY		STATE	IPOSTAL CODE	COUNTRY	
7506 US HWY 59 N	VICTOR		TX	77905	USA	
DEBTOR'S NAME: Provide only stin Debter name (2s or 2b) (use						
name will not fit in this 2b, leave all of them 2 brank, check here and an 2a. ORGANIZATION'S NAME	od provide the Individual Sabto	information in Nem 10 of th	• Financing S	itetement Addendum (Form	UCC1Ad)	
and Contabounds ( const at 1 station						
26. INDIVIOUAL'S SURNAME	FIRST PERSONAL	NAME	ADDITIO	ONAL NAME(SYINITIAL(S)	SUFFIX	
. MAILING ADDRESS	CITY		STATE	POSTAL CODE	COUNTRY	
SECURED PARTY'S NAME (or NAME of ASSIGNEE of ASSIGN	OR SECURED PARTY): Provi	de only one Secured Party /	ame (3a or 3	b)		
Sa. ORGANIZATION'S NAME						
MAVERICK OILFIELD SPECIALT	ES, INC.	atoric.	Lamburg	NAL MARKETON TO A CONTRACTOR	laurny	
36. INDIVIDUAL'S SURNAME	FINST PERSONAL	MAME	ADDITE	ADDITIONAL NAME(BYINITIAL(8) BUFFIX		
MAILING ADDRESS	CITY			POSTAL CODE	COUNTRY	
6135 ALDINE WESTFIELD RD	HOUSTO	V	TX	77032	USA	
COLLATERAL: This theorems statement covers the following collaters ) EB175-120-1-3/4" X 120" KING 150 TON E1. ) TE23-100-2-3/8" 100 TON BVM TUBING E1. ) TE27-100-2-7/8" 100 TON BVM TUBING E ) MS860/5893R-NEW MAV. 5893-R. HYD. TUJ 3/8"-2-7/8", S/N: TEMO 1568	LEVATOR-NEW, S LEVATOR-NEW, S BING TONG W/AI	/N: 37481-2 6/N: 37352-4 R BACKUP, DRA				
I) M4-RT-MAV. MARK IV ROD TONG W/ IN I) TC101-NHD-TYPE C-HD 125 TON TUBING I) IE7-SMD-7-1/N° 5000PSI DUAL BOP W/ C I) N-RE-P/PT-PETOL 25 TON PLATE TYPE I	SPIDER W/ 3-1/2" SO, 2-3/8" & 2-7/8"	TOP LOAD SLIP RAM BLOCKS, S	P BODY, 5/N: K13	, S/N: D10298 -067		
OR 3/4"-7/8", S/N: 63503-1, S/N: 60133-14 FOR ) RHMAV-35-35 TON ROD HOOK, S/N: MOR ) E2-7/8DB-DUAL OIL SAVER UNIT W/ PUN	R 1", 5/N" 601338 RH112					
LLSA-130-SALA SELF RETRACTING LIFE LSO INCLUDE ALL OTHER ITEMS FROM	ELINE #340096S, 8/	N: 3559	20			
	a Trust (see UCC1Ad, Hern 17	and Instructions) bel	ng administra	ad by a Decedent's Person		
Check only if applicable and check only one box:		The state of the s		applicable and check only		
Public-Finance Transaction Manufactured-Home Transaction		renemitang Utility	P. Total	Mon-UCC		
ALTERNATIVE DESIGNATION (If applicable): Lessoutlessor	Corrsignati/Consignor	Setter/Buryer	Bad	loo/Ballor Licer	need/Licensor	
NVOICE # 43090) DT #50377, RIG #120						
		International Ass	ociation o	Commercial Adminis	tretors (IACA)	

UCC FINANCING STATEMENT		15-0026031028			
A. NAME & PHONE OF CONTACT AT FILER (optional)		7 08	3/05/ <i>2</i>	015 05:00 P	M
Ellean M. Etheridge  8. E-MAIL CONTACT AT FILER (optional)				FILED TEXAS SUCRETARY OF STATE	
karen@maverickoilfield.com  5. SEND ACKNOWLEDGMENT TO: (Name and Address)		SO	S		,
Maverick Oilfield Specialties, Inc. 16135 Aldine Westfield Rd. Houston, Texas 77032	OLK TO	13	3735190	0005 OR FILING OFFICE USE	ONLY
DEBTOR'S NAME: Provide only gag Debter name (1s or 1b) (us name will not \$1 in line 1b, leave all of item 1 blank, check name	se exect, full name; do not on and provide the individual De	dt. modify, or abbraulate any pa	t of the Debt	or's name); If any part of the	(ndividual Det
HAMILTON WELL SERVICE LLO	C/HAMILTON	ENERGY GROU	P		
1b, INDIVIDUAL'S SURNAMS	FIRST PERSO	NAL NAME	ADDITIO	MAL, NAME(S)/INITIAL(S)	SUFFIX
MAILING ADDRESS SOG US HWY 59 N	VICTO	RYA	STATE	77905	COUNTR
DEBTOR'S NAME: Provide any one Debtor name (28 or 26) (use					
name will not fit in line 2b. layve #0 of flam 2 blank, check here 2 2a. ORGANIZATION'S NAME	and provide the individual De	btor intermation in liam 10 of the	Financing S	Islament Addendum (Form C	JCC1Ad)
26. INDIVIDUAL'S SURNAME	FIRST PERSON	VALNAME	ADDITIO	HAL NAME(S)/INITIAL(S)	SUFFIX
MAILING ADDRESS	CITY		STATE	POSTAL CODE	COUNTR
SECURED PARTY'S NAME (or NAME of ASSIGNEE of ASSIG	NOR SECURED PARTY): P	roade only one Secuted Party n	ame (3a ar 3t	))	
3a. ORGANIZATION'S NAME MAVERICK OILFIELD SPECIALI	TIES INC				
3b. INDIVIOUAL'S SURPLAME	PIRST PERSON	IAL NAME	ADDITIONAL NAME(S)/INITIAL(S)		SUFFIX
					COUNTRY
MAILING ADDRESS	HOUST	ON	TX	77032	USA
135 ALDINE WESTFIELD RD					
OLATERAL THE MESTIFIELD RD  OLATERAL THE MESSIFIELD RD  EB175-120-1-3/4" X 120" KING 150 TON E  TE23-100-2-3/8" 100 TON BVM TUBING E  TE27-100-2-7/8" 100 TON BVM TUBING E  M5860/5893R-NEW MAV. 5893-R HYD. TU  3/8"-2-7/8", S/N: TONO1569  M4-RT-MAV. MARK 1V ROD TONG W/ II  TC101-NHB-TYPE C-HD 125 TON TUBINI  1E7-5MD-7-1/16" 5000PSI DUAL BOP W/ C  N-RE-P/PT-PETOL 25 TON PLATE TYPE  OR 3/4"-7/8", S/N: 63503-30, S/N: 62066-22 FG  RHMAV-35-35 TON ROD HOOK, S/N: MC  E2-7/8DB-DUAL OIL SAVER UNIT W/ PU  LLSA-130-SALA SELF RETRACTING LIF	ELEVATOR-NEW, ELEVATOR-NEW, UBING TONG W/, NNER RINGS AN: G SPIDER W/, 3-1/, CSO, 2-3/8" & 2-7/, ROD ELEVATOR OR 1", S/N" 62066 ORHII3 MP AND HOSE-N FELINE #3400965,	, S/N: 37481-6 V, S/N: 37637-5 AIR BACKUP, DRA D BACKUP WRENG 2" TOP LOAD SLU 6" RAM BLOCKS, S L, S/N: 63503-27 FOI -35 EW S/N: 3560	CHES FO P BODY, 5/N: K13 R 5/8"-3/	DR 5/8"-1", S/N: R S/N: D10295 -068	TMO02
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6135 ALDINE WESTFIELD RD  COLLATERAL: This interpring straightened as the 185 miles of the	ELEVATOR-NEW. ELEVATOR-NEW. BLEVATOR-NEW. UBING TONG W/ NNER RINGS AN. G SPIDER W/3-1/CSO, 2-3/8" & 2-7/A ROD ELEVATOR OR 1", S/N" 62066 ORHI13 MP AND HOSE-N FELINE #3400965, (INVOICE #43094	, S/N: 37481-6 V, S/N: 37637-5 AIR BACKUP, DRA D BACKUP WRENG 2" TOP LOAD SLU B" RAM BLOCKS, S L, S/N: 63503-27 FOX -35 EW S/N: 3560 , DT #50378, RIG #1	CHES FO P BODY, 5/N: K13 R 5/8"-3/4 21 ng administer Check anix if	DR 5/8"-1", S/N: H S/N: D10295 -068 4", S/N: 63503-28,	62066-1 1 Represent

UCC FINANCING STATEMENT FOLLOW INSTRUCTIONS A. NAME & PHONE OF CONTACT AT FILER (epitional)			08/06/2	015 05:00 P	M
Ellean M. Etheridge			SUS	TRIAS	1
8. E-MAIL CONTACT AT FILER (optional)  karen@maverickoilfield.com		1 :	HILLIAM HILLIAM M	SELLET Birds indis com owin Draw owing	HALIDIC .
C. SEND ACKNOWLEDGMENT TO: (Name and Address)		1			
Maverick Oilfield Specialties, Inc. 16135 Aldine Westfield Rd. Houston, Texas 77032	OK 12	NB 5	623036130		
L DEBTOR'S NAME: Provide only one Debtor name (1e or 1b) (use				OR FILING OFFICE USE	The state of the s
	nd provide the Inelividual Deb	NERGY GRO	of the Financing S	Internent Addendum (Form L	
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c, MAILING ADDRESS 7506 US HWY 59 N	VICTOR	BIA	TX	77905	USA
, DEBTOR'S NAME: Provide only grap Debtor name (2e or 7b) (use					
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R 25_INDIVIOUAL'S SURNAME	FIRST PERSON	AL NAME	ADDITIO	NAL HAME(S)/INITIAL(S)	SUFFEX
MAILING ADDRESS	CITY		STATE	POSTAL CODE	COUNTRY
		vide only one Secured Ps			COUNTRY
SECURED PARTY'S NAME (or NAME of ASSIGNES OF ASSIGN	OR SECURED PARTY): Pro	wide only som Secured Pa			COUNTRY
SECURED PARTY'S NAME (OF NAME OF ASSIGNEE OF ASSIGNE	OR SECURED PARTY): Pro		uty name (3a or 3h		COUNTRY
	OR SECURED PARTY): Pro		uty name (3a or 3h		
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SECURED PARTY'S NAME (OF NAME OF ASSIGNEE OF ASSIGNE	EVATOR LINKS, LEVATOR-NEW, LEVATOR-NEW, BING TONG W/ A-1/2 SO, 2-3/8" & 2-7/8 ROD ELEVATOR-NEW, THE AND HOSE-NIE RINGS AND ELEVATOR BING TONG W/ A-1/2 SO, 2-3/8" & 2-7/8 ROD ELEVATOR BING TONG W/ A-1/2 SO, 2-3/8" & 2-7/8 ROD ELEVATOR BING TONG W/ A-1/2 SO, 2-3/8" & 2-7/8 ROD ELEVATOR BING TONG W/ A-1/2 SO, 2-3/8" & 2-7/8 ROD ELEVATOR BING W/ A-1/2 RHI14 BY AND HOSE-NIE BY AND W/ A-1/2 RHI14 BY AND HOSE-NIE BY AND W/ A-1/2 RHI14 BY AND HOSE-NIE BY AND W/ A-1/2 BY AND W/	N S/N: 11253 S/N: 37357-7 S/N: 37352-1 LIR BACKUP, D BACKUP WRI L" TOP LOAD S " RAM BLOCK S/N: 62066-11, O	ADDITION STATE TX  DRAG RING ENCHES FOR SUIP BODY, S, S/N: K13-62066-16 FO	POSTAL CODE 77032  AND JAWS FOR PR 5/8"-1", S/N: R S/N: D10280	SUFFIX COUNTRY USA TMO029
SECURED PARTY'S NAME (or NAME of ASSIGNEE	EVATOR LINKS, LEVATOR-NEW, LEVATOR-NEW, BING TONG W/ A-1/2 SO, 2-3/8" & 2-7/8 ROD ELEVATOR-NEW, THE AND HOSE-NIE RINGS AND ELEVATOR BING TONG W/ A-1/2 SO, 2-3/8" & 2-7/8 ROD ELEVATOR BING TONG W/ A-1/2 SO, 2-3/8" & 2-7/8 ROD ELEVATOR BING TONG W/ A-1/2 SO, 2-3/8" & 2-7/8 ROD ELEVATOR BING TONG W/ A-1/2 SO, 2-3/8" & 2-7/8 ROD ELEVATOR BING W/ A-1/2 RHI14 BY AND HOSE-NIE BY AND W/ A-1/2 RHI14 BY AND HOSE-NIE BY AND W/ A-1/2 RHI14 BY AND HOSE-NIE BY AND W/ A-1/2 BY AND W/	S/N: 11253 S/N: 37357-7 S/N: 37352-1 IIR BACKUP, D BACKUP WRI "TOP LOAD S "RAM BLOCK S/N: 6206G-11, G	PRAG RING ENCHES FOR SAME STATE  TX  PRAG RING ENCHES FOR SAME SAME SAME SAME SAME SAME SAME SAME	POSTAL CODE 77032  AND JAWS FOR PR 5/8"-1", S/N: R S/N: D10280 PR 5/8"-3/4", 6350	SUFFIX COUNTRY USA TMO029 3-24,
SECURED PARTY'S NAME (OF NAME OF ASSIGNEE	EVATOR LINKS, LEVATOR-NEW, LEVATOR-NEW, LEVATOR-NEW, LEVATOR-NEW, BING TONG W/A-1/2 SO, 2-3/8" & 2-7/8 ROD ELEVATOR-NEW, LEVATOR-NEW, SO, 2-3/8" & 2-7/8 ROD ELEVATOR-NEW, LEVATOR-NEW, SO, 2-3/8" & 2-7/8 ROD ELEVATOR-NEW, SO, 2-3/8" &	S/N: 11253 S/N: 37357-7 S/N: 37352-1 IIR BACKUP, D BACKUP WRI "TOP LOAD S "RAM BLOCK S/N: 6206G-11, G	PRAG RING ENCHES FOR SAME STATE  TX  PRAG RING ENCHES FOR SAME SAME SAME SAME SAME SAME SAME SAME	POSTAL CODE 77032  AND JAWS FOR DR 5/8"-1", S/N: R S/N: D10280 049 DR 5/8"-3/4", 6350	SUFFIX COUNTRY USA TMO029 3-24, Representation

UCC FINANCING STATEMENT			7552663	
A, NAME & PHONE OF CONTACT AT FILER (optional) Ellean M. Etheridge		08/15/20	5 05:00 PM	
B. E-MAIL CONTACT AT FILER (optimal)  Karen@mayerickoilfield.com		SDS	SECRETARY OF STATE	EL .
C. SEND ACKNOWLEDGMENT TO: (Name and Address)  Maverick Oilfield Specialties, Incorporated. 16135 Aidine Westfield Road  Houston, Texas 77032	WE 13 502	5275274 <b>10</b> 0		,
16. ORGANIZATION'S NAME	ect, full name; do not omit, modify, or abbroviation govide the Individual Debter Information in term	10 of the Parancing :	OR FILING OFFICE USE or's name); If any part of the to Statement Addendure (Form U	noividusi Deb
HAMILTON WELL SERVICE LIMIT  15. INDIVIOUAL'S SURNAME	FIRST PERSONAL NAME		ADDITIONAL NAME(S)ANITIAL(S)	
c. MAILING ADDRESS 16 WATERWAY COURT	THE WOODLANDS	S TX	77380	COUNTRY
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SECURED PARTY'S NAME (or NAME of ASSIGNEE of ASSIGNOR  38. ORGANIZATION'S HAME  MAVERICK OILFIELD SPECIAL TIE  134. INDIVIDUAL'S SURNAME			POSTAL CODE  I)  NAL NAME(SUINITIALIS)	COUNTRY
MAILING ADDRESS 6135 ALDINE WESTFIELD ROAD	HOUSTON		POSTAL CODE 177032	COUNTRY
COLLATERAL: This financing statement covers the tollowing construct.  LEASE SEE ATTACHED PAGES FOR COLLA	TERAL			
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neck gally if applicable and check gally one box: Callaterat is hald in a Ti Check gally if applicable and check gally one box:  Public-Finance Transaction Manufactured-Home Transaction	A Debter ts a Transmitting Utility	444	sppilcable and theck only or until Uen Non-UCC F	